

# Cared For and Previously Cared For Children Policy



**Wistaston Academy**  
Primary and Nursery School  
Together We Learn • Together We Achieve

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<b>Responsible Governor's Committee</b>	Quality of Education
<b>Date Reviewed</b>	November 2021
<b>Frequency of Review</b>	Review in the light of changes to legislation or operating experience

**CHANGE CONTROL**

<b>Date</b>	<b>Details of Change</b>	<b>Staff Member</b>
Nov '21	Looked after children (LAC) changed to Cared for children (CFC)	TB

## **Vision**

Our vision is for all of our students, regardless of background and circumstance, to make outstanding progress and achieve grades which will open the door to the future of their choice. We want our students to be curious and develop a thirst for knowledge; we want them to be resilient and to value effort; we want them to understand that sometimes failure is an essential part of the learning process and to recognise that developing a positive, 'can do' attitude will help them to set and achieve aspirational goals.

## **Definitions: 'Cared For Children' (CFC)**

Under the Children Act 1989, a child is cared for by a local authority if he or she is in their care or provided with accommodation for more than 24 hours by the authority. They fall into four main groups:

- children who are accommodated under a voluntary agreement with their parents
- children who are the subjects of a care order (section 31) or interim care order
- children who are the subjects of emergency orders for their protection
- children who are compulsorily accommodated – this includes children remanded to the local authority or subject to a criminal justice supervision order with a residence requirement.

The term 'in care' refers only to children who are subject to a care order by the courts under section 31 of the Children Act 1989 - they may live with foster carers, in a Children's home, in a residential school, with relatives or with parents under supervision. Children who are cared for on a voluntary basis are 'accommodated' by the local authority under section 20 of the Children Act – they may live in foster care, in a Children's home or in a residential school. All these groups are said to be 'cared for children' - LAC.

## **Definitions: 'Previously Cared For Children'**

The February 2018 guidance stated that: 'a previously cared for child is one who is no longer cared for in England and Wales because s/he is the subject of an adoption, special guardianship or child arrangements order which includes arrangements relating to with whom the child is to live, or when the child is to live with any person, or has been adopted from 'state care' outside England and Wales'.

## **Designated Teacher**

Following amendments made by the 2017 Act, section 20A of the 2008 Act and Section 2E of the Academies Act 2010 various duties were placed on the governing body of a maintained school in England and the proprietor of an academy in England. Therefore, we will:

- designate a member of staff to have responsibility for promoting the educational achievement of cared for and previously cared for children who are no longer cared for in England and Wales because they are the subject of an adoption, special guardianship or child arrangements order, or were adopted from ‘state care’ outside England and Wales;
- ensure the designated person undertakes appropriate training; and
- ensure they and the designated teacher has regard any guidance issued by the Secretary of State.

We understand that the Secretary of State has the power to make regulations to prescribe the necessary qualifications or experience of the designated member of staff for previously cared for children.

### **Eligibility**

The Designated Teacher will satisfy themselves that a child is eligible for support by asking the child’s parents for evidence of their previously cared for status. For children adopted outside England and Wales, the child must have been cared for by a public authority, a religious organisation or other provider of care whose sole purpose is to benefit society. Where parents are unable to provide clear evidence of their child’s status, designated teachers will need to use their discretion. In such circumstances, designated teachers could discuss eligibility with the Virtual School Head (VSH) to agree a consistent approach.

### **Why cared for and previously cared for children need the support of a designated teacher**

We recognise that, nationally, there is educational underachievement of cared for children, when compared with their peers, and we are committed to implementing the principles and practice, as outlined in the statutory guidance, “The roles and responsibilities of the designated teacher for cared for children” and “The Children and Young Persons Act 2008”, also the “Designated Teacher (cared for children etc.) (England) Regulation 2009”. The Children Act places a duty to safeguard cared for children, to promote their educational achievements and to ensure that they are able to “achieve to and reach their full potential”.

We will be guided by the ‘Improving Attainment Guidance’ which recognises the collective responsibility of Local Authorities and schools to support cared for young people by setting out these principles:

1. Doing the things they do for all young people but more so
2. Balancing high levels of support with real challenge
3. Skillfully linking each young person to a key person they relate well to
4. Making it a priority to know the young people well and to build strong relationships
5. Developing strong partnerships with carers, local authorities and specialist agencies
6. Making things happen and seeing things through
7. Ensuring consistency as well as discrete flexibility
8. Actively extending the horizons of each young person
9. Planning for future transitions

We recognise that many cared for and previously cared for children have suffered disrupted learning, may have missed extended periods of school, and many of them have special educational needs (SEN). The gaps in their learning and, in many cases the emotional impact of their experiences, are likely to have become significant barriers to their progress. The complexity of this fragmented educational experience with high incidence of SEN, needs careful assessment and planning.

We recognise that the support that our school and designated teachers give to children who are cared for and previously cared for should not be seen in isolation. All cared for and previously cared for children will have a wide range of support mechanisms that will assist in promoting their educational achievement. The child's foster carer (or residential care worker), social worker or, for previously cared for children, parents or guardian, will have day-to-day responsibilities for the child. Within the local authority, the virtual school will provide more strategic support or advice and information for both the child and the school.

### **The Role of the Designated Teacher**

The designated teacher will be a central point of initial contact within the school. At times this point of contact may be delegated to the class teacher who will report directly to the Designated Teacher. This will help to make sure that we play our role to the full in making sure arrangements are joined up and minimise any disruption to a child's learning.

We recognise that the most effective designated teachers have a leadership role in promoting the educational achievement of every cared for and previously cared for child on the school's roll. The designated teacher will therefore be a member of the school senior leadership team. The designated teacher will work with VSHs to promote the education of cared for and previously cared for children and promoting a whole school culture where the personalised learning needs of every cared for and previously cared for child matters and their personal, emotional and academic needs are prioritised.

The designated teacher will take lead responsibility for ensuring school staff understand the things which can affect how cared for and previously cared for children learn and achieve and how the whole school supports the educational achievement of these children. The designated teacher will carry out 'The role of the designated teacher for cared for and previously cared for children' as outlined within the statutory guidance published in February 2018.